



## STIPULATED ASSESSMENT GRANT GUIDELINES

### Introduction

The Indiana Brownfields Program (“Program”) offers Stipulated Assessment Grants (“Assessment Grants”) to qualifying Indiana political subdivisions (as defined by Indiana Code (“IC”) 13-11-2-164(c)) (“Applicants”). Examples of political subdivisions that have qualified as Applicants for Program financial assistance in the past can be found on the Program’s web site at <http://www.in.gov/ifa/brownfields/>. Each Assessment Grant awarded will stipulate that the Applicant satisfy the requirements set forth in these guidelines to avoid being required to repay its Assessment Grant over a five-year period with interest.

An eligible Indiana political subdivision may apply to the Program for an Assessment Grant to finance environmental site assessment costs for an identified brownfield within its jurisdiction. Not-for-profit or for profit corporations may be co-applicants, but will not directly receive funding from the Program; all awards are made to the political subdivision involved in a project. Priority for Assessment Grant funding may be given to sites with hazardous substance contamination as the Program offers a Petroleum Remediation Grant to conduct assessment and remediation of sites contaminated by petroleum.

The maximum Assessment Grant is \$100,000 per Applicant, per round. One million dollars will be made available for Assessment Grants in State fiscal year 2008 and will be awarded in two funding rounds (\$500,000 available per round). Application deadlines will be posted on the Program’s web site at <http://www.in.gov/ifa/brownfields/>.

### Eligibility Criteria

To be eligible for Assessment Grant funding, Applicants must demonstrate the following at the time an application is submitted:

1. The Applicant or any entity involved in the project (i.e., co-applicant, property owner, developer), did not cause or contribute to the contamination found on the brownfield or own and/or operate at the site at the time of disposal of hazardous substances or release of petroleum on the site at which the Assessment Grant will be utilized.
2. The Applicant meets the definition of political subdivision (as defined by IC 13-11-2-164(c)).
3. If the Applicant intends to apply for Assessment Grant funding to conduct a Phase II Environmental Site Assessment, a lead and/or asbestos survey, or to complete a Remediation Work Plan, it has completed, or has caused to be completed, an American Society for Testing and Materials (“ASTM”) Phase I (Standard E1527-05), including any updates (180-day or one-year) required per the standard.
4. The current owner of the brownfield, if not the Applicant, has provided written consent for site access to perform the Assessment Grant-funded activities. Access to the brownfield must be provided to the State, any consultant(s), and the Applicant for the duration of the grant performance period (2 years from time of award).

The following items are also considered threshold eligibility criteria and may disqualify an application from consideration for Assessment Grant funding:

1. The site is subject to an open or pending state or federal enforcement action.
2. The site is under Resource Conservation and Recovery Act Corrective Action.
3. The site presents an imminent threat to human health or the environment.

Note: For purposes of threshold eligibility review, the Program, if necessary, may seek clarification of applicant information and/or consider information from other sources, including Indiana Department of Environmental Management (“IDEM”), Indiana Finance Authority, or United States Environmental Protection Agency files.

#### Eligible Uses of Grant Funds; Disbursement Procedures

Assessment Grants are available to conduct environmental assessment activities at eligible brownfield sites. Costs eligible for Assessment Grant funding include:

- Phase I Environmental Site Assessments (ASTM E1527-05)
- Phase II Environmental Site Assessments and related activities
- Asbestos surveys
- Lead-based paint surveys
- Remediation Work Plan development

Assessment activities conducted with Assessment Grants must be performed consistent with the IDEM Risk Integrated System of Closure (“RISC”) guidelines. RISC is a set of health-based standards used to evaluate cleanup options and contaminants based on detailed site data and proposed site end use to determine the appropriate cleanup option and contaminant reduction level necessary. All activities conducted with Assessment Grants must receive Program approval *prior* to implementation. **Funding for remediation-related costs, demolition expenses, and reimbursement for prior investigation activities is not permitted.<sup>1</sup>**

Assessment Grant disbursements will be made by the Program to the political subdivision for payment to the consultant(s) after the Program receives invoices for work performed consistent with the Program-approved activities. Specific information about eligible uses of grant funds, ineligible expenses, and grant disbursements is available in the *Grant Disbursement Guidelines for Stipulated Assessment Grants* and can be found at <http://www.brownfields.in.gov>.

#### Stipulations

1. Investment (match requirement): Applicants will be required to demonstrate a certain level of investment in their sites within a two-year period following the award of an Assessment Grant. The required investment will be determined based upon an Applicant’s population and Median Household Income (MHI) from the 2000 census data. Please refer to the following chart to determine an Applicant’s required investment:

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<sup>1</sup> Other funding is available from the Indiana Brownfields Program for assessment, demolition, and petroleum remediation activities. Please visit <http://www.brownfields.in.gov> for more information.

	Population < 10,000	10,001 to 20,000	20,001 +
MHI < 30,000	\$ -0-	\$.25 per \$1 Grant	\$.50 per \$1 Grant
30,000 to 40,000	\$.25 per \$1 Grant	\$.50 per \$1 Grant	\$.75 per \$1 Grant
40,000+	\$.50 per \$1 Grant	\$.75 per \$1 Grant	\$1.00 per \$1 Grant

The source of the intended investment must be identified in the Applicant's application. In-kind services will be considered "investment" for matching funds only if such services are directly related to the Applicant's project and/or work performed at the project site. Permanent jobs created at the redeveloped project site will receive a credit of \$1,000 per job created. Temporary jobs (e.g., construction related) may not be counted. While not limited to the following, other potential investment can include costs associated with assessment, remediation, demolition, infrastructure, and construction. Applicants have two years from the date of their financial assistance agreement with the Program to demonstrate the required investment. If traditional redevelopment activities have not occurred within the two-year performance period, then investment may also be demonstrated with an executed contract for remediation work. Assessment Grants not matched within the required two-year period will become a five-year term loan with an interest rate of three percent to be accrued from the date the Assessment Grant was awarded. Requests for an extension of the two-year period and an alternative investment credit (e.g., investment in adjacent properties) must be made in writing to the Indiana Brownfields Program at the time of application and will be evaluated on a case-by-case basis. Such requests may affect a project's ranking. Notwithstanding any of the foregoing, the Indiana Brownfields Program reserves the right to determine if the activities the Applicant intends to apply to its investment requirement satisfy the requirement.

2. Competitive Bidding: Applicants must demonstrate services to be reimbursed with Assessment Grant funding have been/will be competitively bid. Professional services need to be procured in compliance with IC 5-16-11.1, and activities other than professional services are required to be procured in compliance with IC 36-1-12. Program Project Managers may assist in developing bid specifications for work to be performed with Assessment Grant funds. Applicants that do not submit detailed information demonstrating a competitive bidding process with their Assessment Grant applications will be required to do so before funding will be disbursed. A competitive bidding fact sheet is available at <http://www.in.gov/ifa/brownfields/>.

### Application Procedure

Using the Program's online application system available on the Program's web site at [http://www.in.gov/ifa/brownfields/financial\\_assistance.htm](http://www.in.gov/ifa/brownfields/financial_assistance.htm), Applicants must complete the following and submit to the Program by 5:00 p.m. on the application deadline:

1. One fully-completed and digitally-verified online application; and
2. Documentation evidencing the Applicant meets the definition of political subdivision as defined by IC 13-11-2-164(c); and
3. Written consent for site access from the current owner of the brownfield (if not owned by the Applicant); and
4. Sufficient detail of how costs will be allocated (Phase I vs. Phase II or other) and the specific work to be performed in the format outlined by the Program as outlined in the *Grant Disbursement Guidelines for Stipulated Assessment Grants* found at [http://www.brownfields.in.gov](http://www.brownfields.in.gov;); and

5. If the Applicant is applying for funding to conduct a Phase II Environmental Site Assessment, a lead and/or asbestos survey, or to complete a Remediation Work Plan, a Phase I Environmental Site Assessment (ASTM E1527-05); and
6. Documentation demonstrating competitive bidding for the services to be reimbursed with grant funds; and
7. Copy of the Applicant's most recent audit from the State Board of Accounts; and
8. Other submittals as indicated in the application or as available.

Applications will be evaluated and ranked based upon the criteria set forth below. Assessment Grants will be awarded to the highest ranking applications. Priority for Assessment Grant funding may be given to sites with hazardous substance contamination as the Program offers a Petroleum Remediation Grant to conduct assessment and remediation of sites contaminated by petroleum. An Applicant's past performance on projects that have received brownfields grant and loan assistance will be considered during the review process. Assessment Grant recipients will be required to execute a Financial Assistance Agreement with the Indiana Finance Authority and the Indiana State Budget Agency.

If the application deadline referred to in these guidelines falls on a day on which the Program offices are closed for business, applications shall be due on the next business day. A fully-completed and digitally-verified online application must be received by the Program no later than 5:00 p.m. on the day it is due. There is no application fee. The online application reflecting these guidelines, as well as information on applicable application deadlines, is available at <http://www.brownfields.in.gov>.

### Selection Criteria

Applicants will be competitively evaluated in one of two categories depending on the size of the community. Assessment Grant dollars will be allocated to categories based on the number of potential applicants in each category and the ranking of projects.

Category One:	Cities, Towns and Counties with populations of 10,000 or more:	50%
Category Two:	Cities, Towns and Counties with populations of less than 10,000:	50%

Projects will be scored based on the following criteria:

#### 1. Demographic Factors (55 possible points)

##### A. Net Assessed Value Per Capita (10 possible points)

Up to 53% of Indiana's median Net Assessed Value Per Capita	10 points
Between 53% and 66% of Indiana's median Net Assessed Value Per Capita	7 points
Between 67% and 113% of Indiana's median Net Assessed Value Per Capita	5 points
Between 114% and 200% of Indiana's median Net Assessed Value Per Capita	3 points
In excess of 200% Indiana's median Net Assessed Value per Capita	0 points

B. Poverty Rate (10 possible points)

Zip codes with more than 170 households receiving TANF*	10 points
Zip codes with less than 170 but more than 40 households receiving TANF	7 points
Zip codes with less than 40 but more than 11 households receiving TANF	5 points
Zip codes with less than 11 but more than 0 households receiving TANF	0 points

\*Temporary Assistance to Needy Families ("TANF")

C. The site located in any of the following (15 possible points) Community Revitalization Enhancement District ("CRED"), Urban Enterprise Zone, "Dinosaur" building, federally-designated Enterprise Zone, or community/locally designated brownfields revitalization zone or slum and blighted area

D. List the Census Tract in which the Site is located (10 possible points)

E. Per Capita Income (10 possible points)

2. Local Support for Project (100 possible points)

A. Neighborhood Comment and Input (50 possible points)

Plans announced at public hearing and comments sought from public	20 points
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Favorable responses received and/or proactive follow up to any negative comments	10 points
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Additional or more focused community and/or neighborhood input sought	20 points
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B. Coordinated Local Efforts (50 possible points)

Local coalition/organization meeting and working regularly on brownfields issues and/or brownfields coordinator designated; local brownfields sites identified and/or prioritized	50 points
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Joint local effort by numerous parties to apply for grant; some type of coalition to address brownfields issues locally	35 points
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Firm plans to form brownfields workgroup or coalition to address brownfields issues locally	20 points
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No brownfields workgroup or coalition exists to address brownfields issues locally; joint local effort by more than one party to apply for grant

10 points

3. Economic or Community Development Potential for Site – Subjective (150 possible points)

Applicants should focus on the following:

- Long term plans for property, including its place in the overall economic and community development plans of the community;
- Potential for project success based on formal contracts or designated funds to accomplish remediation and redevelopment;
- Impact project will have on overall economic development plans of community, including potential increase to tax base, job creation, and investment in project property;
- Impact project will have on overall community development plans of the community, including the creation, preservation, or addition to a park, greenway, recreational facility, or other municipal benefit;
- Previous local efforts to redevelop property and/or address environmental issues of the site;
- Address the marketability of the site, if applicable.

4. Geographic Distribution of Grant Money (30 possible points)

A. This is the only project this political subdivision is applying for in this round.

10 points

B. This is the only project seeking funding from this county in this round.

5 points

C. This is the only project from a two or more county area seeking funding in this round.

5 points

D. This applicant has not received grant funding in any prior round.

10 points

5. CLEAN Community Designation (10 points)

The Indiana Comprehensive Local Environmental Action Network (“CLEAN”) Community Challenge is a voluntary recognition program for local Indiana government. CLEAN helps communities take steps to plan, develop, and implement a quality of life plan. Additional information about the CLEAN Community Challenge can be found at <http://www.in.gov/idem/programs/oppta/clean/index.html>.

## Priority Funding

Assessment Grants may also be made available outside the normal grant round (but as part of the total \$1,000,000 available) to fund approved assessment activities that would fulfill immediate economic development project needs. A dollar-for-dollar match of such an Assessment Grant must be provided by the Applicant (or co-applicant) and the Applicant must submit a certification that a company or developer is imminently interested in redeveloping the site. The same online application form and application requirements apply to a Priority Funding request. Please contact the Indiana Brownfields Program Director at (317) 234-2916 prior to submitting your Priority Funding application to discuss your project.

## Contact Information

We welcome comments on the Assessment Grants at any time. Questions regarding these guidelines or the Assessment Grants can be directed to the Program's Financial Resources Coordinator at (317) 234-1688. These guidelines may be modified at any time by the Indiana Finance Authority Board to address demand and other issues to promote the effective and efficient administration of the Indiana Brownfields Program.

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